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By e-filing

Anne K. Quinlan, Esq.
Acting Secretary
Surface Transportation Board
395 E Street, S W., Suite 1149
Washington, DC 20024

Re Finance Docket No 35133, *Milwaukee Industrial Trade Center, LLC, d b a Milwaukee Terminal Railway -- Acquisition and Operation Exemption -- Line Owned By Milwaukee Industrial Trade Center, LLC, d b a Milwaukee Terminal Railway*

Dear Ms Quinlan

In a decision in the above proceeding served December 17, 2008, the Board held the proceeding in abeyance pending further order of the Board, and directed the parties to submit a joint status report to the Board on or before March 17, 2009.

The Milwaukee Industrial Trade Center, d b a Milwaukee Terminal Railway (MITC), favors continued negotiations for a private resolution of disputed issues. Accordingly, MITC urges that the matter before the Board be continued in abeyance pending additional negotiations.

Unfortunately, however, the Redevelopment Authority of the City of Milwaukee (RACM) has broken off negotiations, and has requested a return of the disputed issues to the Board's active docket.

In those circumstances, the parties have not been able to agree on a joint status report to the Board.

Respectfully submitted,

Tom McFarland

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